

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES CARL KELLY,
Plaintiff,

v.

R. CROSS, et al.,
Defendants.

No. 2:23-cv-1422 AC P

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed a civil rights action pursuant to 42 U.S.C. § 1983. Although plaintiff's application to proceed in forma pauperis is accompanied by a copy of his inmate trust account statement, it is not a *certified* copy. See 28 U.S.C. § 1915(a)(2). Furthermore, the application to proceed in forma pauperis is not on the form used by this district, which allows the court to obtain plaintiff's trust account statement directly from the prison. Plaintiff was previously ordered to submit either a *certified* copy of his trust account statement or a new application on the form provided by the court so that the court could obtain his trust account statement from the prison. ECF No. 6. In response to that order plaintiff has once again submitted an uncertified copy of his trust account statement. Plaintiff will therefore be required to submit a new in forma pauperis application on the form provided by the court so that the court may obtain a certified copy of his trust account statement directly from the prison.


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Accordingly, IT IS HEREBY ORDERED that:

1. Within thirty days from the service of this order, plaintiff shall submit a new application to proceed in forma pauperis. Plaintiff must use the form provided by the Clerk of Court. Failure to comply with this order will result in a recommendation that this action be dismissed.

2. The Clerk of the Court is directed to send plaintiff a new Application to Proceed In Forma Pauperis By a Prisoner.

DATED: November 1, 2023


ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE